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EXAMINER

COLON, CATHERINE M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 09/382,141	<b>Applicant(s)</b> FERGUSON ET AL.	
	<b>Examiner</b> C. Michelle Colon	<b>Art Unit</b> 3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 32-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 32-62 and 64-75 is/are rejected.
- 7) ☐ Claim(s) 63 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |                                                                                                                   |                                                                             |
|-------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                              | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>14.5, 19</u> | 6) <input type="checkbox"/> Other:                                          |

### **DETAILED ACTION**

1. The following is a Final Office Action in response to the communication received on June 16, 2003. Claims 1-31 have previously been cancelled. Claims 32, 41, 43, 44, 52, 53, 63, 64, 67-70 and 73 have been amended. Claims 74 and 75 have been added. Claims 32-75 are now pending in this application.

### ***Information Disclosure Statement***

2. The Examiner has reviewed the patents and publications supplied in the Information Disclosure Statements (IDS) provided on December 20, 2002 and June 16, 2003.

### ***Response to Amendment***

3. Applicant's amendments to claims 32, 41, 43, 44, 52, 53, 63, 64, 67-70 and 73 are acknowledged.

The amendments to claims 64, 67-70 and 73 are not sufficient to overcome the 35 U.S.C. 101 rejection set forth in the previous Office Action. The amendments do not place the claims within the technological arts since, as claimed, the steps can still be performed manually without the use of a computer or other technology. Classifying individuals based on their work pattern data to determine an office space layout can be performed with a paper and pencil. Therefore, the 35 U.S.C. 101 rejections to claims 64, 65, 67 – 73 are maintained and repeated below. Newly added claims 74 and 75 are also rejected under 35 U.S.C. 101.

The amendments to claims 41 and 63 are sufficient to overcome the 35 U.S.C. 112, second paragraph, rejection set forth in the previous Office Action. Therefore, the 35 U.S.C. 112, second paragraph, rejection is withdrawn.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 64, 65, 67-75 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

As per the first prong of the test, for a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences) and therefore are found to be non-statutory subject matter. For a process claim to be satisfactory, the recited process must somehow apply, involve, use, or advance the technological arts.

In the present case, claims 64, 65, 67 – 75 only recite an abstract idea. The recited steps of merely classifying an individual in a work environment as a member of a work pattern group do not apply, involve, use, or advance the technological arts since

Art Unit: 3623

all of the recited steps can be performed in the mind of a person or by use of a pencil and paper and without the need of a computer or other technology. These steps only constitute an idea of how to classify a person in a work environment into a predefined group based on various characteristics.

As per the second prong of the test, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result. In the present case, the claimed invention produces a classification scheme for a work environment based on work pattern characteristics (i.e., concrete) and associates individuals with at least one group in the classification scheme (i.e., useful and tangible).

Although the recited process produces a useful, concrete, and tangible result, since the claimed invention, as a whole, is not within the technological arts as explained above, claims 64, 65, 67 – 75 are directed to non-statutory subject matter.

### ***Allowable Subject Matter***

6. Claim 63 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 69, 74 and 75 would be considered allowable if they overcame the 35 U.S.C. 101 rejections above.

7. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups comprising a first group, a second group, a third group, a fourth

Art Unit: 3623

group, a fifth group, and a sixth group, the method comprising: measuring a work characteristic of the individual associated with performance of work by the individual; and identifying the individual as a member of at least one of the plurality of work pattern groups based on the work characteristic measured for the individual; *wherein work characteristics associated with the first group include a tight work focus, highly protocolled work processes, and a low degree of interaction with other individuals in the work environment; wherein work characteristics associated with the second group include a contextual work focus, moderately protocolled work processes, and a moderate degree of interaction with other individuals in the work environment; wherein work characteristics associated with the third group include a wide work focus, logistics-oriented work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fourth group include a wide work focus, highly variable work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fifth group include a contextual work focus, moderately variable work processes, and a moderate degree of interaction with other individuals in the work environment; and wherein work characteristics associated with the sixth group include a tight work focus, well-defined work processes, and a low degree of interaction with other individuals in the work environment.*

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 32-34, 36-44, 46, 48-54, 56-62, 64, 66-68 and 70-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Taylor et al. (U.S. 6,292,830).

As per claims 32 and 70, Taylor et al. discloses a tool and method for classifying an individual within an organization based on work pattern data obtained from the individual for use in providing an office space layout for the individual to facilitate knowledge management based on the classification of the work pattern data, comprising:

an interface for obtaining work pattern data associated with the individual (col. 33, lines 56-67; col. 41, lines 35-56; col. 45, lines 48-67; The reference discloses maintaining expected and actual work performance of agents. The reference further discloses a pattern recognizer that enables the system to "learn" the work pattern of agents where agents can be individuals or software agents.);

a system for correlating the work pattern data from the individual with at least one pattern comprising predefined characteristics so that the individual can be classified as a member of at least one work pattern group based on the correlation of the work

Art Unit: 3623

pattern data from the individual to the predefined characteristics of the at least one work pattern corresponding to the at least one work pattern group (col. 20, lines 20-35; col. 38, lines 8-57; col. 78, lines 48-67; The reference discloses a system for recognizing work patterns among agents.);

wherein the work pattern data used to classify the individual within at least one work pattern group comprises (a) an amount of interaction by the individual with other individuals, (b) a degree to which work performed by the individual is focused, or (c) a degree to which work performed by the individual adheres to a defined procedure (col. 20, lines 20-35; col. 28, lines 26-33; The reference discloses work pattern groups associated with highly specialized work patterns that include varying degrees of interaction with other individuals, work performed that is focused and work performed that adheres to a defined procedure.);

wherein the office space layout for the individual comprises at least one of a workstation, a storage product, office furniture or office supply products selected according to the classification of the individual within the at least one work pattern group (col. 79, lines 1-22; col. 80, lines 29-34; col. 85, lines 14-58; col. 97, lines 46-55; The reference discloses creating a particular environment for a group of agents with a common work pattern where the environment includes a work space.).

As per claim 33, Taylor et al. discloses the tool of claim 32 wherein the predefined characteristics of each work pattern are based on characteristics of individuals understood to be members of a corresponding work pattern group and comprise a degree to which work performed by a member of the corresponding work



Art Unit: 3623

pattern group is focused, an amount of interaction between a member of the corresponding work pattern group and other individuals, and a degree to which work performed by a member of the corresponding work pattern group follows a defined procedure (col. 22, lines 35-56; col. 77, lines 52-67; col. 78, lines 48-67; col. 79, lines 1-22; col. 80, lines 29-34; col. 85, lines 14-58; col. 97, lines 46-55; The reference discloses creating a particular environment for a group of agents with a common work pattern where the environment includes a specific design of an office space and furniture. The reference further discloses that knowledge workers in various disciplines have specific work patterns of focus of work, interaction with others and following defined procedures.).

As per claim 34, Taylor et al. discloses the tool of claim 33, wherein the predefined characteristics of each work pattern further comprise a type of information used by a member of the corresponding work pattern group, a number of work foci of a member of the corresponding work pattern group, and a degree of mobility within the work environment of a member of the corresponding work pattern group (col. 22, lines 35-56; col. 77, lines 52-67; col. 78, lines 48-67; col. 80, lines 13-51; col. 97, lines 46-55; The reference discloses predefined characteristics of work patterns of knowledge workers and determines their office space layout accordingly. The reference further discloses that all knowledge workers have specific types of information they use as well as specific mobility needs.).

As per claim 36, Taylor et al. discloses the tool of claim 32, wherein the predefined characteristics comprise a degree to which work performed by a member of

Art Unit: 3623

the corresponding work pattern group is task-based and a degree to which work performed by a member of the corresponding work pattern group is knowledge-based (col. 22, lines 35-56; col. 77, lines 52-67; col. 78, lines 48-67; col. 80, lines 13-51; col. 97, lines 46-55; The reference discloses that all knowledge workers have specific types of information they use as well as specific mobility, collaborative and flexibility needs.).

As per claims 37, 40 and 41, Taylor et al. discloses the tool of claim 32, wherein the system comprises a diagnostic engine comprising digital data stored on a digital storage medium (col. 45, lines 24-67; col. 83, lines 36-67; Figure SS2-2).

As per claim 38, Taylor et al. discloses the tool of claim 37, wherein the digital storage medium is a computer hard disk drive (col. 83, lines 36-67; Figure SS2-2).

As per claim 39, Taylor et al. discloses the tool of claim 32, wherein the interface is an interactive questionnaire (col. 84, lines 8-44).

As per claim 42, Taylor et al. discloses the tool of claim 32, wherein the system comprises a database configured to correlate the work pattern data with the predefined characteristics of at least one work pattern (col. 44, lines 34-38; col. 45, lines 31-47).

As per claim 43, Taylor et al. discloses a system for providing an office space layout for an individual in a work environment to facilitate knowledge management, comprising:

- a diagnostic tool (col. 45, lines 24-67; col. 83, lines 36-67; Figure SS2-2);

- an interface coupled to the diagnostic tool for obtaining work pattern data associated with the individual (col. 33, lines 56-67; col. 41, lines 35-56; col. 45, lines 48-67; col. 97, lines 46-55; The reference discloses maintaining expected and actual work

performance of agents. The reference further discloses a pattern recognizer that enables the system to "learn" the work pattern of agents where agents can be individuals or software agents.);

a plurality of work patterns (col. 78, lines 48-67; col. 80, lines 17-28); and

a prescription tool (col. 79, lines 1-22; col. 80, lines 29-34);

wherein the diagnostic tool correlates the work pattern data with at least one of the work patterns and defines a personal profile for the individual based on the correlation and wherein the prescription tool recommends the office space layout for the individual based on the personal profile (col. 20, lines 20-35; col. 38, lines 8-57; col. 78, lines 48-67; col. 79, lines 1-22; col. 80, lines 29-34; col. 85, lines 14-58; col. 97, lines 46-55; The reference discloses recognizing work patterns among agents and creating a particular environment for a group of agents with a common work pattern where the environment includes a work space.).

As per claim 44, Taylor et al. discloses the system of claim 43 further comprising a plurality of organizational information flow models wherein organizational data associated with the work environment of the individual is obtained via the interface and the diagnostic engine correlates the organizational data with the organization information flow models and the prescription tool further recommends the office space layout based on the organizational correlation (col. 85, lines 14-58; col. 94, lines 1-19; The reference discloses recommendations for an office space layout based on the organization information flow of an individual.).

As per claim 46, Taylor et al. discloses the system of claim 43 wherein the work pattern data comprises data relevant to an amount of interaction by the individual with other individuals, a degree to which work performed by the individual is focused, and a degree to which work performed by the individual adheres to a defined procedure (col. 22, lines 35-56; col. 77, lines 52-67; col. 78, lines 48-67; col. 79, lines 1-22; col. 80, lines 29-34; col. 85, lines 14-58; col. 97, lines 46-55; The reference discloses creating a particular environment for a group of agents with a common work pattern where the environment includes a specific design of an office space and furniture. The reference further discloses that knowledge workers in various disciplines have specific work patterns of focus of work, interaction with others and following defined procedures.).

As per claim 48, Taylor et al. discloses the system of claim 43 wherein the personal profile is adapted to be updated with additional work pattern data associated with the individual that is obtained via the interface (col. 84, lines 20-33; The reference discloses updating customer's preferences.).

As per claims 49-51, Taylor et al. discloses the system of claim 43 further comprising a computer and wherein the diagnostic tool is operated with the computer, wherein the computer is coupled to a network and wherein an electronic device is connectable to the network for collecting additional work pattern data (col. 45, lines 24-67; col. 83, lines 36-67; Figure SS2-2).

As per claim 52, Taylor et al. discloses the system of claim 51 wherein the office space layout comprises the electronic device (col. 83, lines 27-30).

Art Unit: 3623

As per claim 53, Taylor et al. discloses the system of claim 43 wherein the office space layout comprises knowledge storage products (col. 35, lines 23-64; col. 40, lines 9-54; col. 83, lines 27-30).

As per claim 54, Taylor et al. discloses the system of claim 43 wherein the diagnostic tool comprises digital data stored on a digital storage medium (col. 41, lines 35-56).

As per claims 56-62, Taylor et al. discloses the system of claim 43 wherein how the individual works within the environment comprises how the individual collects knowledge; how the individual uses knowledge comprises how the individual stores, manages and shares knowledge; wherein knowledge comprises at least one of how to arrange a workspace or how to organize a computer desktop (col. 20, lines 15-26; col. 22, lines 35-56; col. 77, lines 52-67; col. 78, lines 48-67; col. 80, lines 13-51; col. 97, lines 46-55; The reference discloses characteristics of work patterns of knowledge workers, where the work pattern includes how a knowledge worker uses, collects, stores and shares information, where the information can include knowledge and technology.).

As per claim 64, see claims 43 and 47, where the limitations of claim 64 are addressed above in the rejections of claims 43 and 47 using Taylor et al.

As per claim 66, Taylor et al. discloses the method of claim 64 wherein the steps of correlating and classifying are performed by a computer program (col. 45, lines 24-67; col. 83, lines 36-67; Figure SS2-2).

As per claim 67, Taylor et al. discloses the method of claim 64 further comprising: recommending the office space layout for the individual based on the classification of the individual within at least one of the plurality of work pattern groups (col. 20, lines 20-35; col. 38, lines 8-57; col. 78, lines 48-67; col. 79, lines 1-22; col. 80, lines 29-34; col. 85, lines 14-58; col. 97, lines 46-55; The reference discloses recommending an office space layout for an agent based on the agent's work pattern group.).

As per claim 68, Taylor et al. discloses the method of claim 67 wherein the office space layout comprises knowledge storage products (col. 35, lines 23-64; col. 40, lines 9-54; col. 83, lines 27-30).

As per claim 71, Taylor et al. discloses the method of claim 70 further comprising: identifying a personal style associated with the individual from the work pattern data wherein the personal profile further comprises the identified personal style (col. 20, lines 20-35; col. 38, lines 8-57; col. 78, lines 48-67; col. 79, lines 1-22; col. 80, lines 29-34; col. 85, lines 14-58; col. 97, lines 46-55; The reference discloses recognizing work patterns among agents and creating a particular environment for a group of agents with a common work pattern where the environment includes a work space.).

As per claim 72, Taylor et al. discloses the method of claim 70 further comprising:

defining a plurality of organizational information flow models and a plurality of information flow characteristics associated with each organizational information flow

Art Unit: 3623

model (col. 28, line 20-34; col. 78, lines 48-67; col. 85, lines 14-58; col. 94, lines 1-19;

The reference discloses defining various organizational information flow models and their characteristics for knowledge workers.);

collecting organizational data associated with the individual's work environment (col. 41, lines 35-56; The reference discloses collecting organizational data associated with an individual's work environment through a pattern recognizer in order to provide the appropriate work space solution.);

correlating the organizational data with the plurality of information flow characteristics associated with the organizational information flow models (col. 44, lines 28-38; col. 78, lines 48-67; The reference discloses correlating the specific organization data of individuals with the information flow models.);

identifying the organizational information flow model that corresponds to the individual's work environment based on the correlation (col. 77, lines 52-67; col. 85, lines 14-58; col. 80, lines 17-28; col. 94, lines 1-19); and

refining the personal profile to comprise the identified organizational information flow model (col. 79, lines 23-62; The reference discloses refining an individual's profile to include their identified organizational information flow model, and therefore, refining their work environment.).

As per claim 73, Taylor et al. discloses the method of claim 70 wherein the office space layout comprises knowledge storage products (col. 35, lines 23-64; col. 40, lines 9-54; col. 83, lines 27-30).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 35, 45, 47, 55 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. (U.S. 6,292,830).

As per claims 35 and 65, Taylor et al. does not expressly disclose the tool or method of claims 32 and 64, wherein the at least one work pattern group comprises a Processor group, a Keeper group, a Concierge group, a Broker group, a Player group, and a Specialist group. However, Taylor et al. does disclose grouping agents into different pools of specific skills (col. 78, lines 48-67; col. 80, lines 16-28). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to name the work pattern groups because doing so organizes the agents into meaningful categories according to their work patterns, which provides the system of Taylor et al. useful grouping of agents for determining appropriate office space layouts.

As per claim 45, Taylor et al. does not expressly disclose the system of claim 44 wherein the organizational information flow models comprise a Channeled model, a Centered model, a Pooled model and a Negotiated model. However, Taylor et al. does disclose maintaining organizational information flows for knowledge worker and recommending office space layouts accordingly (col. 85, lines 14-58; col. 94, lines 1-19). At the time of the invention, it would have been obvious to a person of ordinary skill



Art Unit: 3623

in the art to name the organizational information models because doing so facilitates the organization of the information flow models and thus, aiding in the work pattern assessment process and the office space layout recommendation for the individuals.

As per claim 47, Taylor et al. does not expressly disclose the tool of claim 43, wherein the at least one work pattern group comprises a Processor group, a Keeper group, a Concierge group, a Broker group, a Player group, and a Specialist group. However, Taylor et al. does disclose grouping agents into different pools of specific skills (col. 78, lines 48-67; col. 80, lines 16-28). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to name the work pattern groups because doing so organizes the agents into meaningful categories according to their work patterns, which provides the system of Taylor et al. useful grouping of agents for determining appropriate office space layouts.

As per claim 55, Taylor et al. does not expressly disclose the system of claim 43 wherein the prescription tool is a product catalog. However, Taylor et al. does disclose various products such as computer equipment, furniture, books, and other tools designed to facilitate communication among agents (col. 79, lines 1-22; col. 80, lines 29-34). It is old and well known that these products can be found in various product catalogs. It is also old and well known that product catalogs provide customers with another means to view information about and purchase a product. Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the prescription tool be a product catalog because doing so would help the system of Taylor et al. facilitate the providing of various products to the agents.

***Response to Arguments***

12. Applicant's arguments with respect to the art rejections are moot in view of the new grounds of rejections.

***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-

Art Unit: 3623

4251. The examiner can normally be reached Monday – Thursday from 8:30am to 5:30pm and every other Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

or faxed to:

703-305-7687 [Official Communications; including After Final  
communications labeled "Box AF"]

703-746-7202 [For status inquiries, draft communication, labeled  
"Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA 7<sup>th</sup> floor receptionist.

  
omc

September 3, 2003

  
TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600